

## REMARKS

### **Status of Claims**

The Office Action mailed 02 May 2007 has been received and reviewed. Each of claims 1–31 stand rejected. Claims 1 and 16 are currently amended, and claim 17 is canceled. Reconsideration of the present application in view of the above amendments and the following remarks is respectfully requested.

### **Interview Summary**

Applicant thanks Examiner Shanto M Z Abedin for granting and conducting the interview on 15 August 2007 and for considering the reasons applicants invention is distinct from Allen and Burgess.

During the interview, Applicant presented reasons a *prima facie* case of anticipation was not made using Allen and reasons a *prima facie* case of obviousness was not made using Allen and Burgess. Allen and Burgess, alone and in combination, fail to teach or suggest access rights management for a plurality of electronic devices associated with an identity owner.

### **Drawings**

Applicant believes the drawings are accepted by the Office. The summary of the Office Action does not indicate that the drawings are accepted. The detailed action, at page 2, paragraph 6, indicates that the previous objection was withdrawn. Accordingly, the drawings are deemed to be accepted by the Office.

## **Rejections based on 35 U.S.C. § 102**

### **A.) Applicable Authority**

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

### **B.) Anticipation Rejection Based on US Publ. 2002/0149705 (“Allen”).**

Claims 16–19, 21–27, and 29–31 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Allen. Applicant respectfully traverses the anticipation rejection of claims 16-19, 21-27, and 29-31 because Allen fails to describe all elements of independent claims 16 and 26.

Independent claim 16, as currently amended, recites a method for providing a system user a unique reference to manage a collection of components, i.e., electronic devices, owned by the system user. The method comprises, among other things, permitting access to a unique identity belonging to the system user through a unique reference, wherein the unique identity comprises a plurality of components. In turn, the system user is allowed to alter any one of the plurality of components without altering the reference and regulate access to the plurality of components such that selected known identities have access to selected components of the plurality of components, wherein the selected components of the plurality components are authorized, by the system user, to accept electronic communications from the selected known identities.

It is respectfully submitted that the cited prior art, including Allen, fails to disclose, among other things, *regulating access to the plurality of components such that selected known*

*identities have access to selected components of the plurality of components, wherein the selected components of the plurality components are authorized, by the system user, to accept electronic communications from the selected known identities,* as recited in independent claim 16. The Office relies upon Allen, paragraphs [0026], [0063]–[0066], and [0091]–[0100] to anticipate the invention of claim 16. The cited portions of Allen describe managing a contact list by synching contacts among different devices. The cited portions also detail changing visual indicators associated with contacts in the contact list. Nothing in the cited portions of Allen disclose a system user that manages a plurality of components by authorizing access to selected components of the plurality of components, where the selected components are authorized to accept communication from the selected known identities.

Unlike Allen, the invention of claim 16 allows a system user to authorize selected components of the plurality of components associated with a unique reference to receive communications from selected entities. For instance, the system user may select devices for receiving messages and select other devices to receive live communications. Allen fails to expressly teach all elements of the invention of claim 16. Accordingly, for at least the above reasons, the anticipation rejection of claim 16 should be withdrawn, and claim 16 should be allowed.

Dependent claims 17–19 and 21–25 further define novel features of the invention of claim 16 and each depend, either directly or indirectly, from independent claim 16. Accordingly, for at least the reasons set forth above with respect to independent claim 1, dependent claims 17–19 and 21–25 are believed to be in condition for allowance by virtue of their dependency. See 37 C.F.R. 1.75(c). As such, withdrawal of the anticipation rejection and allowance of dependent claims 17–19 and 21–25 are respectfully requested.

Independent claim 26 recites a system for allowing a user having a unique identity to manage communications, wherein the unique identity is associated with a plurality of electronic devices. The system comprises a service for assigning a reference to a user's unique identity, wherein other identities can access the user's unique identity only by using the reference. The system also comprises permission controls for allowing the user to control access to the unique identity by restricting authorization to a selected set of other identities and allowing the user to select at least one associated device from a plurality of associated devices for receiving communication upon an access attempt by an authorized user.

It is respectfully submitted that the cited prior art, including Allen, fails to disclose, among other things, *permission controls for allowing the user to control access to the unique identity by restricting authorization to a selected set of other identities and permission controls for allowing the user to select at least one associated device from a plurality of associated devices for receiving communication upon an access attempt by an authorized user*, as recited in independent claim 26. The Office relies upon Allen, paragraphs [0063]–[0066], and [0091]–[0100] to anticipate the invention of claim 26. The cited portions of Allen describe managing a contact list by synching contacts among different devices. The cited portions also detail changing visual indicators associated with contacts in the contact list. Specifically, Allen at paragraphs [0092]–[0094] teaches a contact entry component that selects external devices, such as a PDA, laptop, or cellular phone, and creates a new contact based on an entry received from the external device. Nothing in the cited portions of Allen teach a system user that manages a plurality of components by authorizing access to selected components of the plurality of components, where the selected components are authorized to accept communication from the selected known identities.

Unlike Allen, the invention of claim 26 allows a user to set preference controls that authorize selected electronic devices of a plurality of electronic devices associated with a unique reference to receive communication from selected identities. There is nothing in Allen that fairly teaches the preference controls that enable a user to control electronic devices that receive communications from the selected identities. Allen fails to fairly teach all elements of the invention of claim 26. Accordingly, for at least the above reasons, the anticipation rejection of claim 26 should be withdrawn, and claim 26 should be allowed.

Dependent claims 27 and 29–31 further define novel features of the invention of independent claim 26 and each depend, either directly or indirectly, from independent claim 26. Accordingly, for at least the reasons set forth above with respect to independent claim 26, dependent claims 27 and 29–31 are believed to be in condition for allowance by virtue of their dependency. See 37 C.F.R. 1.75(c). As such, withdrawal of the anticipation rejection and allowance of dependent claims 27 and 29–31 are respectfully requested.

**Rejections under 35 U.S.C. §103(a)**

A.) Applicable Authority

35 U.S.C. § 103(a) declares, a patent shall not issue when “the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.” The Supreme Court in *Graham v. John Deere* counseled that an obviousness determination is made by identifying: the scope and content of the prior art; the level of ordinary skill in the prior art; the differences between the claimed invention and prior art references; and secondary considerations. *Graham v. John Deere Co.*, 383 U.S. 1 (1966). To support a finding of obviousness, the initial burden is on the Office to apply the

framework outlined in *Graham* and to provide some reason, or suggestions or motivation found either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the prior art reference or to combine prior art reference teachings to produce the claimed invention. *See, Application of Bergel*, 292 F. 2d 955, 956-957 (1961). Recently, the Supreme Court elaborated, at pages 13-14 of the *KSR* opinion, that “it will be necessary for [the Office] to look at interrelated teachings of multiple [prior art references]; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by [one of] ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the [patent application].” *KSR v. Teleflex*, No. 04-1350, 550 U.S. \_\_\_\_ (2007).

B.) Obviousness Rejection Based on Allen *et al* in View of U.S. Patent No. 6,359,970 (“Burgess”)

Claims 1-6, 8-15, 20, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen *et al.* in view of Burgess. Applicants respectfully traverse the rejection because Allen and Burgess fail to teach or suggest all elements of independent claims 1, 16, and 26.

Independent claim 1 recites a method for providing an identity owner a unique identity to manage a collection of electronic devices owned by the identity owner. The method comprises, among other things, providing identity access tools for allowing the identity owner to select a set of authorized identities that have rights to communicate with the identity owner; and providing device selection tools for allowing the identity owner to select at least one electronic device for reception of communications, wherein the at least one electronic device is authorized, by the identity owner, to accept communications from the authorized identities based on at least one of a time associated with the communications or a format associated with the communications.

It is respectfully submitted that the cited prior art, including Allen, fails to disclose, among other things, *providing identity access tools for allowing the identity owner to select a set of authorized identities that have rights to communicate with the identity owner, wherein the authorized identities are associated with a plurality of electronic devices*; as recited in amended independent claim 1. The Office relies upon Allen, at FIG. 5, paragraphs [0026], [0063]–[0066], and [0091]–[0093] to teach the above element of claim 1. The cited portions of Allen describe managing a contact list by synching contact among different devices. Nothing in the cited portions of Allen teach or suggest an identity owner that authorizes selected identities to communicate with the identity owner. Further, Allen fails to teach or suggest authorizing at least one electronic device to accept communications from the authorized selected identities based on at least one of a time associated with the communication or a format associated with the communication.

The Office contends the Allen in combination with Burgess, at col. 7, lines 50–col. 9, line 10 and claim 1; teaches or suggests accepting communications for authorized identities based on time. Applicant respectfully disagrees. As discussed above, Allen fails to disclose or suggest identity tools that are utilized to select authorized identities that can communicate with the identity owner via selected electronic devices. Burgess, at col. 7, ll. 27–30, teaches or suggests a caller database that stores records of callers and a priority for the caller. Based on the priority of the caller, the caller is able or unable to communicate with the user during a blocking time, as recited in Burgess at col. 8, ll. 20–30. Burgess fails to teach or suggest device tools that select an electronic device that can accept communications from the authorized identities during specified times. Nothing in Burgess fairly teaches or suggests selection of authorized identities and electronic devices that authorized identities can employ to communicate with the identity owner.

Rather, Burgess's priority merely authorizes groups, such as families, to communicate during blocked times. Burgess's priorities are not specified authorized identities.

Unlike Allen and Burgess, singularly and in combination, the invention of claim 1 recites a method that manages communication delivery to electronic devices that communicate with authorized identities selected by the user of the electronic devices. Allen and Burgess fail to fairly teach or suggest all elements of the invention of claim 1. Accordingly, for at least the above reasons, the obviousness rejection of claim 1 should be withdrawn, and claim 1 should be allowed.

Dependent claims 2–6, 8, and 10–15 further define novel features of the invention of independent claim 1 and each depend, either directly or indirectly, from independent claim 1. Accordingly, for at least the reasons set forth above with respect to independent claim 1, dependent claims 2–6, 8, and 10–15 are believed to be in condition for allowance by virtue of their dependency. See 37 C.F.R. 1.75(c). As such, withdrawal of the obviousness rejection and allowance of dependent claims 2–6, 8, and 10–15 are respectfully requested.

Claims 20 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen in view of Burgess. Applicant respectfully traverses the rejection because Allen and Burgess fail to teach or suggest all elements of independent claims 16 and 26.

Claims 20 and 28 depend from independent claims 16 and 26, respectively. As discussed above, Allen does not teach all the elements of independent claims 16 and 26. Accordingly, claims 20 and 28 are patentable over Allen for at least the above-cited reasons. The addition of Burgess fails to cure the deficiencies of Allen with respect to the elements of claims 16 and 26. As such, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of dependent claims 20 and 28 are respectfully requested.



C.) Obviousness Rejection Based on Allen and Burgess *et al* in View of U.S. Patent No. 6,895,257 (Boman et al.)

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Allen, Burgess, and Boman. Applicant respectfully traverses the rejection because Allen, Burgess, and Boman fails to fairly teach or suggest all elements of independent claim 1.

Claim 7 depends from independent claim 1. As discussed above, Allen and Burgess do not teach all the elements of amended independent claim 1. Accordingly, claim 7 is patentable over Allen and Burgess for at least the above-cited reasons. The addition of Boman fails to cure the deficiencies of Allen and Burgess with respect to the elements of independent claim 1. As such, withdrawal of the 35 U.S.C. § 103(a) rejection of dependent claims 7 is respectfully requested.

### **CONCLUSION**

Applicant respectfully submits that the remarks above place this Application in condition for allowance, and a Notice of Allowance is respectfully requested. No fee is believed due in connection with submitting this correspondence, but the Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112 referencing Attorney Docket MFCP.101281.

Respectfully submitted,

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/s/ Monplaisir Hamilton

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